

VZCZCXYZ0003
PP RUEHWEB

DE RUEHVB #0341/01 1601048
ZNY CCCCC ZZH
P 091048Z JUN 09
FM AMEMBASSY ZAGREB
TO RUEHC/SECSTATE WASHDC PRIORITY 9297

INFO RUEHLJ/AMEMBASSY LJUBLJANA PRIORITY 6458
RUEHFR/AMEMBASSY PARIS 0108

C O N F I D E N T I A L ZAGREB 000341

SIPDIS

E.O. 12958: DECL: 06/09/2019
TAGS: [PREL](#) [HR](#) [SI](#)
SUBJECT: FRENCH EMBASSY VIEW OF THE CROATIAN-SLOVENIAN
BORDER DISPUTE

REF: A. 08ZAGREB 834
[1](#)B. 09ZAGREB 245

Classified By: Classified By: Poloff Daniel L. Meges for reasons 1.4 (b)
) &(d).

SUMMARY

[1](#)1. (C) French diplomats in Zagreb judge that Ljubljana,s ultimate aim is to leverage Croatia,s EU accession process to secure a settlement or a mechanism to settle the longstanding border dispute that is unbalanced in Slovenia,s favor. France is pessimistic that EU Enlargement Commissioner Ollie Rehn will be successful in brokering a compromise on the issue and the French expect the Swedish EU Presidency to take charge of the matter in July. Having concluded that politics in Slovenia are impeding a face-saving compromise, the French think that a return to an earlier French proposal is the way forward. French diplomats believe that a combined French, German, U.S. message for a face saving compromise could yield results, emphasizing that when a joint message was brought to bear on the border issue during Croatia,s NATO accession process, the result was positive. END SUMMARY

Ljubljana Seeking an Unbalanced Solution

[1](#)2. (C) Poloff had a candid discussion with French First Secretary for EU Affairs, Martial Adam, in early June on the topic of the border impasse between Croatia and Slovenia. Adam began by recounting the waning days of the French EU Presidency in 2008, when France tried to broker a compromise to decouple the issue of the border dispute from Croatia,s EU bid. (NOTE: The French proposal involved the EU Presidency and Croatia exchanging letters that stated the material submitted by Croatia during its EU negotiations was in no way intended to be prejudicial vis-a-vis the ongoing border dispute. END NOTE). Slovenia,s rejection of French efforts to decouple the issues, Adam said, convinced Paris that Slovenia,s ultimate goal was not to avoid prejudice to the border dispute, but to leverage Croatia,s EU bid to secure either an outright settlement of the issue on terms favorable to Slovenia, or at the least, ensure any process to resolve the issue would be unbalanced in Slovenia,s favor. He lamented that the French approach was flawed in that it assumed the Slovenia was dealing in "good faith" on wanting to decouple the two issues, but it in the end Paris concluded that this was not the case. He stated that Ljubljana,s insistence, then and now, that any process must provide Slovenia with a decision in hand on the outcome of the border prior to giving the final nod to Croatia,s EU membership is illustrative of Slovenia,s true motives.

[1](#)3. (C) Adam noted that in the aftermath of the failed French efforts, EU Enlargement Commissioner Ollie Rehn presented a

proposal in February 2009 to have the EU facilitate a mediation of the dispute. Adam said that French MFA legal experts had strong objections to Rehn,s original proposal. Subsequently Paris weighed in with Rehn,s staff to emphasize that however the border impasse was to be resolved, it would set important precedents for resolving other bilateral disputes in the Balkans. Because of concern over the precedent issue, Paris pressed Rehn to ensure that established international law would be the primary determinant of defining the border and that other non-legal factors should be relegated to secondary aspects. He noted that Rehn,s final proposal was acceptable to France and adequately addressed their concerns. Unfortunately, Adam said, Ljubljana,s amendments to Rehn,s last proposal made it unlikely that Rehn will be able to broker a compromise in the coming weeks.

France,s View on the Way Forward

¶4. (C) France,s thoughts on the next step center around supporting the upcoming Swedish EU Presidency and a return to a proposal that would decouple Croatia,s EU bid from the border dispute, ala the French proposal in December 2008. Adam argued that legal experts from France, the EU Council and the EU Commission assess that there is sufficiently legally binding language to ensure that Croatia,s EU bid would not prejudice any future third-party resolution of the dispute. He noted that this language was largely present in the French proposal in December 2008, but implied it could be repackaged to make it more acceptable to Ljubljana. He stated this "decoupling" probably would not be enough to ensure an entirely smooth process for Croatia,s EU bid, but it would get the ball rolling again.

Slovenian Opposition Leader Jansa is Key to Resolving the Impasse

¶5. (C) Adam observed that both Paris and the French Embassy in Ljubljana felt that Slovenian Prime Minister Pahor did want to be constructive on the issue, but that Pahor was constrained by local politics and unable to confront the hard-line stance of former prime minister, and main opposition leader, Janez Jansa. Adam stated that Jansa has no incentive to be constructive on this issue at this point in time because Jansa is optimistic that the Pahor government will soon stumble under the weight of the poor Slovenian economy and border dispute. Paris feels that any way forward would have to take into account Slovenian political landscape and work to get Jansa onboard early with any face-saving compromise.

NATO Demonstrates Ljubljana Responds a Joint EU-US Message

¶6. (C) Adam stated his appreciation for U.S. interest in the issue and emphasized that he felt the US could be helpful in moving the impasse toward resolution. While noting the political stakes were different during Croatia,s NATO accession process, he emphasized that when Paris, Berlin, and Washington all weighed in with Ljubljana with a consistent and simple message, all Slovenian parties adjusted course and the outcome was positive.

¶7. (C) COMMENT: The French appear to still be bruised from the failure of their December effort to broker a solution. We concur that, if Rehn fails to end the impasse in the coming weeks, some attempt to decouple Croatia,s EU bid from the border dispute should be re-explored. And for such an approach to succeed, it would clearly need a coordinated approach to get both sides to sign on. What is troubling in the French analysis, however, is the assessment that Slovenia is not interested in decoupling the border dispute from Croatia's EU accession, but in fact intends to leverage Croatia's EU accession to secure a favorable outcome on the border. END COMMENT.

